

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 19, 2021

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ARTURO TEJEDA-GOMEZ,

Defendant.

No. 4:21-MJ-07015-MKD-1

ORDER FOLLOWING INITIAL
APPEARANCE ON COMPLAINT
AND SETTING DETENTION AND
PRELIMINARY HEARINGS

****USMS ACTION REQUIRED****

On Tuesday, January 19, 2021, Defendant made an initial appearance on the Complaint (ECF No. 1). With his consent, Defendant appeared by video from Benton County Jail and was represented by Doug McKinley. Assistant United States Attorney Benjamin Seal represented the United States.

Defendant was advised of, and acknowledged Defendant's rights.

A member of the Criminal Justice Act Panel was appointed to represent Defendant.

Under federal law, including Rule 5(f) of the Federal Rules of Criminal Procedure, *Brady v. Maryland*, 373 U.S. 83 (1963), and all applicable decisions

ORDER FOLLOWING INITIAL APPEARANCE ON COMPLAINT AND
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1 interpreting *Brady*, the United States has a continuing obligation to produce all
2 information or evidence known to the United States that is relevant to the guilt or
3 punishment of a defendant, including, but not limited to, exculpatory evidence.

4 Accordingly, the Court Orders the United States to produce to Defendant in
5 a timely manner all information or evidence known to the United States that is
6 either: (1) relevant to Defendant's guilt or punishment; or (2) favorable to
7 Defendant on the issue of guilt or punishment.

8 This Order is entered under Rule 5(f) and does not relieve any party in this
9 matter of any other discovery obligation. The consequences for violating either
10 this Order or the United States' obligations under *Brady* include, but are not
11 limited to, the following: contempt, sanction, referral to a disciplinary authority,
12 adverse jury instruction, exclusion of evidence, and dismissal of charges.

13 A detention hearing was set before **Judge Dimke by video in Yakima,**
14 **Washington, on Thursday, January 21, 2021, at 3:15 PM.** Pending the hearing,
15 Defendant shall be detained in the custody of the United States Marshal and
16 produced for the hearing. The United States Probation/Pretrial Services Office
17 shall prepare a supplemental pretrial services report prior to the hearing and shall
18 notify defense counsel prior to interviewing Defendant.

19 A preliminary hearing was set for Tuesday, February 02, 2021, **at 3:00 PM,**
20 **before Judge Dimke by video in Yakima, Washington.**

1 DATED January 19, 2021

2 s/Mary K. Dimke

3 MARY K. DIMKE

4 UNITED STATES MAGISTRATE JUDGE